# Human rights legislation 'progressive'

BY DON MORGAN, THE LEADER-POST APRIL 1, 2011

Alex Neve and Ailsa Watkinson are concerned that Bill 160 is a "troubling step backward" in human rights protection in Saskatchewan (March 18 commentary). To make their case, they present opinion as fact and leave out critical details. Two examples stand out.

We are proposing a change to the time limit for filing a complaint, from two years to one. The authors lament this change, even though we have included a provision permitting the commission to accept complaints filed after one year when it is fair, reasonable and in the public interest to do so. They claim there is no basis for the change in spite of the fact that the commission itself recommended this same amendment back in 1996, and most provinces have a six-or 12-month filing limit. This change is progressive, timely, and consistent with other jurisdictions -including Neve's home province of Ontario, which has a oneyear limit.

We are also proposing directed mediation to resolve most disputes before the formal hearing process. Although the authors call this "worrisome," it is hard to argue with success. Manitoba has used this for over a decade and settles 98 per cent of its complaints without litigation, prosecution and tribunals. This should be comforting to those concerned about having discrimination claims sent to Queen's Bench for a decision. Bill 160 will help resolve a vast majority of cases long before they require the attention of any judge.

We are undertaking these changes on the advice of the Human Rights Commissioner David Arnot, a highly regarded provincial court judge. Under Judge Arnot, the commission developed the "Four Pillars" strategic business plan and has conducted extensive ongoing stakeholder consultations. This is the right thing to do.

DON MORGAN

Morgan is Saskatchewan's minister of justice and attorney general.

Regina

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